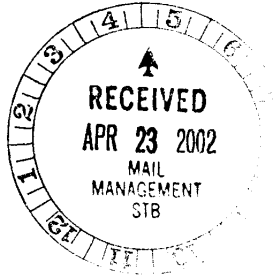


Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

205248



April 23, 2002

VIA HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Edward J. Fishman
202.778.9456
Fax: 202.778.9100
efishman@kl.com

Re: Finance Docket No. 34192
Petition by Hi Tech Trans, LLC for a Declaratory Order

Dear Secretary Williams:

The State of New Jersey, Department of Environmental Protection ("NJDEP"), intends to participate in any proceeding initiated by the Board in response to the Petition for Declaratory Order filed April 4, 2002 by Hi Tech Trans, LLC ("Hi Tech").

NJDEP is an agency of the State of New Jersey that is responsible for preserving, sustaining, protecting and enhancing the environment in order to maintain and improve public health and safety, economic vitality and environmental quality in New Jersey. NJDEP is responsible, among other things, for implementing and enforcing various New Jersey statutes and regulations that relate to the management and disposal of solid waste.

We were engaged today as Special Counsel to the NJDEP and are still in the process of evaluating Hi Tech's Petition for Declaratory Order. Although the petition seeks to nullify certain New Jersey statutes and ordinances relating to solid waste management and disposal, a copy of the petition was not served on NJDEP. Due to the importance of the issues involved, NJDEP hereby seeks additional time to evaluate the petition and the relief requested in order to formulate a position on whether the Board should institute a declaratory order proceeding in this matter.

It is our understanding that the Hudson County Improvement Authority ("HCIA") has filed a similar request for an extension until May 6, 2002 to file a response to Hi Tech's petition. For the reasons set forth above, we respectfully request an extension until the same date (May 6, 2002) to file a response to Hi Tech's petition. We do not believe that this brief extension will unduly delay the proceeding or prejudice the interests of any other party.

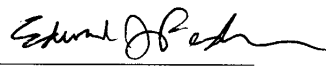
Kirkpatrick & Lockhart LLP

The Honorable Vernon A. Williams
April 23, 2002
Page 2

We have informed John McHugh, counsel for Hi Tech, of our intention to seek additional time to respond to the Petition for Declaratory Order. He has no objection to our request.

Thank you for your attention and consideration of this matter.

Respectfully submitted,
Kirkpatrick & Lockhart LLP
Special Counsel to the NJDEP

By: 
Edward J. Fishman

cc: John McHugh, Esq.
Benjamin Clarke, Esq.
James Martin, Deputy Attorney General
Honorable David M. Konschnik